

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PETER A. TAYLOR,

Petitioner,

No. CIV-S-04-0981 LKK KJM P

vs.

TOM L. CAREY,

Respondent.

ORDER

Petitioner is a state prisoner proceeding pro se with an application for writ of habeas corpus under 28 U.S.C. § 2254. Respondent has filed a motion to dismiss arguing, among other things, that petitioner's challenges to his 1994, 1996 and 1998 parole hearings are time-barred. Respondent asserts that petitioner completed the administrative review process with respect to the 1994, 1996 and 1998 hearings on June 8, 1999. However, the document that respondent asserts provides support for his position (Exhibit A attached to his motion to dismiss) seems to indicate that the June 8, 1999 administrative decision concerns only the 1998 parole hearing. Good cause appearing IT IS HEREBY ORDERED that:

1. Within ten days of this order, respondent provide the court with documents of which the court may take judicial notice indicating when petitioner completed the administrative review process concerning his 1994 and 1996 parole hearings;

1 2. If respondent determines petitioner did not challenge his 1994 and 1996 parole
2 hearings by way of administrative grievance, respondent shall so indicate by affidavit and
3 providing concise briefing as to how long petitioner had to file an administrative grievance
4 following the 1994 and 1996 hearings.

5 DATED: February 9, 2006.

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9 UNITED STATES MAGISTRATE JUDGE
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